

REMARKS

Original filed claims 1-20, and new claims 34-44, appear in the application for the Examiner's reconsideration. Claims 21-33 have been cancelled without prejudice. New claims 34-44 have been added. These new claims are rewritten forms of, and are supported by, the original claims. As no new matter has been introduced, the entry of the new claims is warranted.

The Examiner states that inventions I-IV are different and patentably distinct compositions because they have different chemical and/or physical structures with different chemical, physical, and/or biological properties and require different materials and methods for their use and making. Specifically, the Examiner states that Invention I is a polypeptide comprising a single-domain of the variable region of the heavy chain of an antibody, while Invention II is a peptide derived from the randomized sequence of the CDR3 region of a polypeptide.

Applicant respectfully requests reconsideration of this statement. The claims of Group I recite all the features which are also recited in claims of Group II. The peptide sequences of Group II, i.e., claims 13-18 and 20, are included in, and derived from, the polypeptides of claim 1 which belongs to Group I. For example, claim 3 recites a number of features that are included in claim 13. Thus, Applicant requests that the claims of Group II be examined together with those of Group I.

The Examiner further requires that an ultimate species of peptide or polypeptide and species of antigen of interest. In response, Applicant elects the peptide Phe-Pro-Thr-Gly-Asp-Leu-Ala-Glu-Lys. For an antigen of interest, Applicant elects Tumor Necrosis Factor (TNF). The claims that read specifically on the elected species are claims 9, 10 and 18, so that at least claims 1-3, 9-10, 13-16 and 18-20 should be examined at this time.


New claims 34-44 have been added. Claims 34-35 and 40-41 are rewritten forms of original claims 2-3 and 10-11, respectively, and depend from claim 19. New claims 36-39 are rewritten forms of original claims 4, 5, 7 and 8, respectively, and depend from new claim 35. New claims 42-44 are rewritten forms of original claims 14-16, respectively and depend from claim 20. Because the original claims 2-5, 7-8, 10-11, 14-16 and 19-20, from which the new claims are derived, all current pending, should be classified in a single group for examination in this application. Also, claims

34-35, 40 and 42-44 read on the elected species and at least these claims should be examined at this time with claims 1-3, 9-10, 13-16 and 18-20.

Date: _____

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Respectfully submitted,



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